

SLR:LDM:TRP
F. #2014R01855

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

NIMBOKO MILLER,

Defendant.

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WHEREAS, on or about July 17, 2017, NIMBOKO MILLER (the “defendant”), was convicted after a jury trial of Count One and Count Eight of the above-captioned Indictment, charging violations of 18 U.S.C. §§ 1344 and 1349; and

WHEREAS, the Court has determined that, pursuant to 18 U.S.C. § 982(a)(2)(A), the defendant must forfeit the amount of forty-five thousand three hundred ten dollars and sixty-five cents (\$45,310.65) (the “Forfeiture Money Judgment”) as: (a) any property, real or personal, that was involved in, used, or intended to be used to commit or to facilitate the commission of such offenses; (b) any property, real or personal, constituting or derived from, any proceeds obtained, directly or indirectly, as a result of such offenses, or any property traceable to such property; and/or (c) substitute assets, pursuant to 21 U.S.C. § 853(p).

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
DECREED as follows:

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ JUL 30 2018 ★

BROOKLYN OFFICE

1. The defendant shall forfeit to the United States the full amount of the Forfeiture Money Judgment, pursuant to 18 U.S.C. § 982(a)(2)(A) and 21 U.S.C. § 853(p).

2. All payments made by the defendant toward the Forfeiture Money Judgment shall be made by a money order, or a certified or official bank check, payable to the "United States Marshals Service" with the criminal docket number noted on the face of the check. The defendant shall cause said check to be delivered by overnight mail to Assistant United States Attorney Tanisha R. Payne, United States Attorney's Office, Eastern District of New York, 271 Cadman Plaza East, 7th Floor, Brooklyn, New York 11201. The Forfeiture Money Judgment shall be paid in full on or before the date of sentence (the "Due Date").

3. If the Forfeiture Money Judgment is not received as provided above, the defendant shall forfeit any other property of his up to the value of the outstanding balance, pursuant to 21 U.S.C. § 853(p). The defendant shall fully assist the government in effectuating the payment of the Forfeiture Money Judgment. The defendant shall not file or interpose any claim or assist other to file or interpose any claim to any of the property against which the government seeks to execute the Forfeiture Money Judgment in any administrative or judicial proceeding.

4. Upon entry of this Order of Forfeiture ("Order"), the United States Attorney General or his designee is authorized to conduct any proper discovery in accordance with Fed. R. Crim. P. 32.2(b)(3) and (c). The United States alone shall hold title to the monies paid by the defendant to satisfy the Forfeiture Money Judgment following the Court's entry of the judgment of conviction.

5. The entry and payment of the Forfeiture Money Judgment is not to be considered a payment of a fine, penalty, restitution loss amount or a payment of any income taxes that may be due and shall survive bankruptcy.

6. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Order shall become final as to the defendant at the time of sentencing and shall be made part of the defendant's sentence and included in the judgment. This Order shall become the Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2). At that time, the properties forfeited herein shall be forfeited to the United States for disposition in accordance with the law.

7. This Order shall be binding upon the defendant and the successors, administrators, heirs, assigns and transferees of the defendant, and shall survive the bankruptcy of any of them.

8. This Order shall be final and binding only upon the Court's "so ordering" of the Order.

9. The Court shall retain jurisdiction over this action to enforce compliance with the terms of this Order and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

Dated: Brooklyn, New York
July 30, 2018

SO ORDERED:

s/Ann M. Donnelly

HONORABLE ANN M. DONNELLY
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK